Corres. and Mail

BOX AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Manabu NOHARA et al.)	Confirmation No.: 2565
)	
Application No.: 09/658,877)	Group Art Unit: 2664
)	
Filed: September 8, 2000)	Examiner: Mew, Kevin D
)	
For: COMMUNICATING APPARATUS)	**Mail Stop AF**
AND COMMUNICATING METHOD)	

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, **Mail Stop AF**
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated
    August 10, 2004 (Paper No. 6).

2. Additional papers enclosed:

    ☒ Notice of Appeal
    ☐ Submission of Replacement Drawing Sheets
    ☐ Submission of Revocation of Original Power of Attorney and Grant of
      New Power of Attorney
    ☐ Change of Correspondence Address
    ☐ Change of Attorney Docket Number
    ☐ Information Disclosure Statement
    ☐ Form PTO-1449, _____ references included
    ☐ Citations
    ☐ Declaration of Biological Deposit
    ☐ Submission of "Sequence Listing", computer readable copy and/or amendment
      pertaining thereto for biotechnology invention containing nucleotide and/or amino
      acid sequence.

1-WA/2339401.1

3. Extension of Time

The proceedings herein are for a patent application and the provisions of
37 C.F.R. § 1.136(a) apply.

☐   Applicant believes that no extension of time is required. However, this
conditional petition is being made to provide for the possibility that Applicant has
inadvertently overlooked the need for a petition and fee for extension of time.

☒   Applicants petition for an extension of time, the fees for which are set out in
37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
☐ one month	$ 120.00	$ 60.00
☐ two months	$ 450.00	$ 225.00
☒ three months	$ 1,020.00	$ 510.00
☐ four months	$ 1,590.00	$ 795.00

Extension of time fee due with this request: $ 1,020.00

If an additional extension of time is required, please consider this a Petition
therefor.

☐   An extension for _____months has already been secured and the fee paid
therefor of _____ is deducted from the total fee due for the total months of
extension now requested.

4. Constructive Petition

☒   **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is
hereby authorized by this paper to charge any additional fees during the entire
pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17
which may be required, including any required extension of time fees, or credit
any overpayment to Deposit Account 50-0310. This paragraph is intended to be a
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance
with 37 C.F.R. § 1.136(a)(3).

5.   Fee Calculation (37 C.F.R. §1.16)

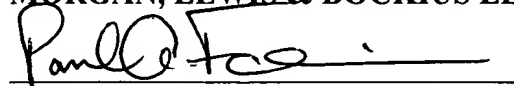| CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	4	minus	20	0	x $50 each =	+ $0.00
Independent Claims (37 C.F.R.§1.16(b))	2	minus	3	0	x $200 each =	+ $0.00
[ ] First presentation of Multiple dependent claim(s)					$360.00	+ $0.00
SUB-TOTAL =						$0.00
Reduction by ½ for filing by a small entity						- $0.00
TOTAL FEE =						$0.00

6.   Fee Payment

☐   No fee is to be paid at this time.

☒   The Commissioner is hereby authorized to charge **$ 1,520.00** to Deposit Account No. 50-0310 (representing $1,020.00 for the three-month extension of time fee and $500.00 for the Notice of Appeal fee).

☒   The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 9, 2005   By: _____

Paul A. Fournier
Reg. No. 41,023

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. 202-739-3000
Fax 202-739-3001

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